

**LOCAL PLANNING AGENCY
MEETING MINUTES
JULY 28, 2022 - 5:30 P.M.
DESTIN CITY HALL BOARDROOM**

1. CALL TO ORDER:

Chairman Wood called the Local Planning Agency Meeting to order on Thursday, July 28, 2022, at 5:30 p.m., in the Destin City Hall Boardroom; with the Pledge of Allegiance immediately following.

2. ROLL CALL:

Members Present

James T. Wood, Jr.
Karen Hudson
Marcie Bell
Corey Ledbetter
Todd Buhr

Members Absent

Jason Klosterman

Staff Members Present

Kim Montgomery City Clerk
Steven O'Connor Principal Planner

3. APPROVAL OF MINUTES:

July 7, 2022

Motion by Agency member Bell, seconded by Agency member Hudson to approve the July 7, 2022, minutes as written. The motion passed 4-0.

4. NEW BUSINESS:

A. Comprehensive Plan Chapter 5: Conservation Element and Chapter & 6: Coastal Management Elements Discussion and/or Possible Recommendation

Mr. O'Connor presented Chapter 5: Conservation Element policies to the members.

- 1. Policy 5-1.5.3: Reduce the Number of Septic Tanks** – This is being implemented and any new development in the city must connect to sewer service and any existing septic systems are required to as well when the system fails. Staff recommends this stay in place.

The LPA members agreed with the statement.

- 2. Policy 5-1.12.3: Develop Response Procedures for the Discovery of Artifacts during Construction** – Mr. O'Connor explained this is being maintained through 11.06-01 and staff recommends that it be kept and maintained in the Comprehensive Plan.

The Agency members agreed with staff's recommendation to maintain this policy.

3. Policy 5-1.13.1: Incorporate Innovative Techniques in the LDC – Staff has implemented this through the LDC Section 10.03.00 – Stormwater Management, Section 11.09.03 – Erosion and sediment control plan, Section 12.02.00 – Active and Passive Facilities & 12.04.00 – Landscape Development. staff recommends this policy remain in the Comprehensive Plan. However, staff recommends improving the language to incentivize tree canopy cover, and plant maturity, over total tree count.

Regarding excessive tree removal, Agency member Buhr questioned if the subject is actually covered in the LDC.

Mr. O'Connor explained it is, when someone wants to clear a lot, they have to provide a tree survey for all trees on the property, regardless of size. He further explained that any trees that are between 12" and 24" are considered protected trees and anything over 24" is considered preserved trees. Protected trees must be replaced and preserved trees cannot be removed, unless they are within the footprint of the development, then they can be removed but have to be replaced. Additionally, any tree that is to be removed on any property requires a clearing permit.

There was a discussion regarding the need to have better defined language for clearing underbrush and removing a tree or multiple trees from private property, to provide clarity. Additionally, it was suggested for staff find out what other municipalities in the surrounding areas have as their language in their code. The members also discussed and agreed that additional language should be added to better explain why planting trees in the right-of-way is discouraged.

To be implemented Policies & Objectives:

- 1. Policy 5-1.10.2 Enforce White Sand Ordinance** – The City shall continue to enforce its Ordinance that regulates the removal of white sand as well as the use and type of fill material applied to new development sites. The White Sands Ordinance shall be incorporated into the articles of the LDC. Within one year from the effective date of the Comprehensive Plan, LDC shall be amended to include penalties, fines, and restoration plans for unauthorized impacts to White Sand.

According to Mr. O'Connor, staff feels that more could be done on the enforcement side and therefore, this will be addressed within the new citation authority that will be created through the rewrite of the LDC.

- 2. Policy 5-1.13.3: Promote Energy Efficient Land Development** – Prior to the next EAR, the City's amended LDC shall incorporate any needed refinements to promote energy efficient land development and recognize the relative energy dependency of commercial and industrial land uses. The City shall encourage land use patterns that by location, scale, and design, minimize long-term energy commitments to construction, operation,

maintenance, and replacement. Finally, the City shall encourage natural resource conservation and utilization in ways that are consistent with sound energy management principles.

According to Mr. O'Connor, this policy requires a recommended direction from the LPA to City Council, explaining there are several different ways to implement this policy. According to the U.S. Government Accountability Office (GAO) the three main ways are, (1) minimizing the amount of energy needed to heat and cool buildings; (2) reducing energy intensive infrastructure construction, such as highways and sewer and water lines; and (3) reducing automobile travel. They set the standards for HUD, DOT, DOE, etc. Additionally, these are the minimum standards that many communities look to and staff's recommendation is: The policy specifically states "*The City shall encourage land use patterns that by location, scale, and design minimize long-term energy commitments to construction, operation, maintenance, and replacement,*" which when combined with the GAO's recommendations, means to increase density where infrastructure exists. Therefore, staff is inquiring, does the LPA want to make a recommendation in line with the GOA's recommendation or propose an alternative recommendation(s)?

Agency member Buhr suggested that staff look at the Comprehensive Plans out of Rockville, FL and Sabastian, FL where they added information about green buildings and neighborhood design to amplify their policy in their Comp Plan and flowed to their LDC. He spoke of how the statement about encouraging land use patterns above is generally used in all Comp Plans and feels that staff should investigate to find some additional best practices language to make Destin's better.

Agency member Hudson spoke of her neighbor having to replace their siding and insulation asked if there is a way in the code to specify and enforce the R value for insulation in new construction. According to Mr. O'Connor, that is enforced through the Florida Building Code and the Building Division at the time of permitting to bring them up to the current codes.

There was a brief discussion regarding the best management practices for reducing heat islands from asphalt and Agency member Bell spoke of an article she had read about the use of gray or white pavement and she would email it to Mr. O'Connor.

3. **Policy 5-1.13.6: Xeriscape Public Areas** - The City shall reduce irrigation needs of new and existing landscaped areas maintained by the City through the application of aggressive xeriscaping standards. Within one year of the adoption of this Plan, the City shall develop a 5-year xeriscaping program that prioritizes the location and measures to be taken to xeriscape existing landscaping of public lands.

Staff Comment: Currently Parks and Recreation and Public Works are working to replace

irrigation sensors and other elements to reduce excessive water usage. Staff recommends keeping and maintaining this policy.

4. **Policy 5-1.13.7: Encourage Xeriscaping in New Private Development** – Private landscaping irrigation practices use significant amounts of public and privately acquired water from the aquifer. Encouraging or requiring xeriscaping practices on new landscaping installations would reduce future groundwater consumption. Prior to the next EAR, the City shall propose measures to apply xeriscaping standards to new private development.

Staff Comment: This policy has been implemented through the use of gray water for irrigation and by LDC Sections 10.04.05.C requiring rain sensors on all new irrigation systems and 12.04.03.d - Supplemental standards required, which incentivizes reduced water usage. Staff recommends keeping and maintaining this policy.

The members discussed at length whether to make this a requirement across the board for all zones or keep it as an encouragement for just the three zones originally mentioned. In the end, the decision was to encourage this for all zones.

5. **Policy 5-1.13.7: Encourage Xeriscaping in New Private Development** – Private landscaping irrigation practices use significant amounts of public and privately acquired water from the aquifer. Encouraging or requiring xeriscaping practices on new landscaping installations would reduce future groundwater consumption. Prior to the next EAR, the City shall propose measures to apply xeriscaping standards to new private development.

Staff Comment: This policy has been implemented through the use of gray water for irrigation and by LDC Sections 10.04.05.C requiring rain sensors on all new irrigation systems and 12.04.03.d - Supplemental standards required, which incentivizes reduced water usage. Staff recommends keeping and maintaining this policy.

This was discussed with Policy 4 above. Mr. O'Connor informed the members that as part of the incentive for use of xeriscaping, an applicant can get a 2% reduction in their Open Space Requirements if they design their landscaping with xeriscaping plants native to the local area, such as the use of Live Oaks in the tree requirements.

6. **Policy 5-1.2.7: Require Automatic Rain Sensors** – The city will require automatic rain sensors in all new irrigation systems installed in the city and will retrofit all existing municipal irrigation systems prior to the next EAR (estimated to be in 2019).

Staff Comment: This policy is being implemented through LDC Sections 10.04.05.C requiring rain sensors on all new irrigation systems and by the Parks & Recreation Department

and Public Works Department by replacing, installing, and updating irrigation systems with rain sensors. Staff recommends keeping and maintaining this policy

The members agreed with this policy for now but Chairman Wood stated that he may want to discuss this subject further at the LDC rewrite level.

Chapter 6 Chapter 6 Implemented Policies & Objectives:

1. Policy 6-1.7.5 - Adaption Action Area Designation. By Fiscal Year 2022, the city will identify areas for which land elevations are below, at or near mean high water, which have a hydrologic connection to coastal waters, or which are designated as evacuation zones for storm surge.

Staff Comment: This policy has been completed as of January 2022 with updates to the city's 2021 Disaster Preparedness Plan and the County's 2021 Local Mitigation Strategy. Staff Recommends continuing and broadening this policy to maintain and continue this effort, and not limit it to any particular year.

The members agreed with the statement and provided no additional comments.

Motion by Agency member Ledbetter to recommend City Council approval suggestions of policies for Chapter 5 and 6 of the city's adopted Comprehensive Plan as discussed, with Agency member Hudson providing the second. The motion passed 5-0.

There was a brief discussion about when the items of concern will be addressed. Mr. O'Connor explained that he will not be bringing these two chapters back for additional discussion. He will just incorporate all the items discussed prior to bringing them before Council. However, when the entire Comprehensive Plan language is ready in its draft form for their review, as a whole, it will be brought before them for a recommendation to Council. After that, staff will begin the work on the Land Development Code rewrite.

Agency member Bell spoke of the White Sands Ordinance and how she is concerned that the LDC should have stricter guidelines and how its enforced. According to Mr. O'Connor, it will be addressed in the LDC rewrite, specifically in the Conservation Element.

A roll call vote of 5-0 was taken and the motion passed.

B. Comprehensive Plan Chapter 8: Intergovernmental Coordination Element Discussion and/or Possible Recommendation

Partially Implemented Policies & Objectives:

Mr. O'Connor briefly explained to the Agency members that at their May 26th meeting they

passed a motion to recommend all language from the Comp Plan Policies pertaining to time frames for implementation “within one year of approval of this Comprehensive Plan...” or “within one year of the next Evaluation and Review (EAR)...” Therefore, any Objectives, Policies, or Goals with any such language, will be recommended for deletion.

Partially Implemented Policies & Objectives:

1.) **Policy 8-1.2.4: Coordinate Transportation Improvements and Programs** - The City shall coordinate all transportation improvements proposed by new development with the TPO, Florida Department of Transportation (FDOT), DEO, WFRPC, Okaloosa County, Walton County and other state and regional agencies concerned with assessing traffic impacts of proposed development. In addition, the City shall coordinate with the TPO, FDOT, and Okaloosa County Transit (OCT) to implement the City's long-range transportation plans as presented within the Transportation Element of this Comprehensive Plan. Within two years of Plan adoption, the City shall request that the TPO evaluate its formula and criteria for establishing voting representation on the governing board to consider other factors beyond year-round population as the determinant for a community's representation.

Staff Comment: This is partially implemented through the Technical Review Committee process with Development Order review. This will be further implemented through the Mobility Plan, which is currently being developed. Staff recommends keeping and maintain this policy.

Chairman Wood stated that he has already spoken with the Community Development Director about the above clause, *“Within two years of Plan adoption, the City shall request that the TPO evaluate its formula and criteria for establishing voting representation on the governing board to consider other factors beyond year-round population as the determinant for a community's representation.”* Specifically, because this has never been handled like this in the past and he feels the statement should be removed.

Mr. O'Connor agreed he would have it removed.

Policy 8-2.2.2: Share Data - On an annual basis, the Okaloosa County School Board shall provide information from their five-year Work Plan to determine the need for additional school facilities. The Okaloosa County School Board shall provide to the City, each year, a general education facilities report. The educational facilities report shall contain information detailing existing facilities and projected needs. The report shall also contain the School Board's capital improvement plan, including planned facilities with funding representing the district's unmet needs.

Staff Comment: This policy is implemented through LDC Section 4.05.01 – Establishment: Appointment establishing the requirement of an ex-officio member who represents the Okaloosa County School Board. The scope of requirements for when this member attends is limited. Section 13.00.01.A.2.a, requiring a representative of the school board be a member concerning comprehensive planning that impacts development and Level of Service standards. Staff recommends the intent of this policy remain.

However, the policy should be retooled to require the City to be more proactive and collaborative, and less demanding of the school board. For example, "...the Okaloosa County School Board shall provide information..." should be reworded to "...the City shall request information from the Okaloosa School Board..." Policies & Objectives that need further guidance for implementation.

The agreement was to maintain what is described but include all schools impacting the city for data sharing.

Policy 8-1.1.12: Evaluate the Costs and Benefits of Tourism - Prior to the next Evaluation and Appraisal Review, the City shall initiate coordination with Okaloosa County Board of County Commissioners, the Okaloosa County TDC, the Walton County Board of County Commissioners and the Florida Department of Economic Opportunity (DEO) to request participation with the City in a joint study to identify and quantify the costs and benefits associated with tourism in Destin, specifically, and the Emerald Coast in general. Such study will specify, compare, and contrast the revenues generated by tourism with associated tourist population expenses borne by the city.

Staff Comment: The TDC has implemented a new financial tracking process to determine where tourist come from and where they spend their money. However, the impacts to the city, county, and regional infrastructures and services have not yet been evaluated. This policy should remain. Staff recommends this policy remain and to work cooperatively with the County, TDC and other interested parties to fund a study to assess impacts to the individual and shared infrastructure, due to tourism.

In discussions on this topic from the members the agreement was for Mr. O'Connor to add language that the LPA recommends developing a study and it be reviewed and updated on an annual basis.

Chairman Wood also pointed out that TDC needs to be changed to TDD.

Objectives or Policies recommended for removal:

1.) Policy 8-3.1.1: Observe Evaluation Periods - All chapters of the Comprehensive Plan shall be evaluated and updated as necessary at least every five years. In addition to the general EAR, the Capital Improvements Element shall be reviewed on an annual basis.

Staff Comment: Staff recommends this policy be removed from the Comprehensive Plan as this is already a State Requirement and the Capital Improvement Element is reviewed annually when the Capital Improvement Program and projects are reviewed. Therefore, staff recommends it be removed because of redundancy.

Motion by Agency member Bell, seconded by Agency member Ledbetter to recommend City Council's approval of the suggestions for the policies in Chapter 8 of the city's adopted Comprehensive Plan as presented and discussed. The motion with a passed 5-0 vote.

Chairman Wood opened the hearing for anyone in the public to speak. With no one being present, he closed the public portion of the hearing.

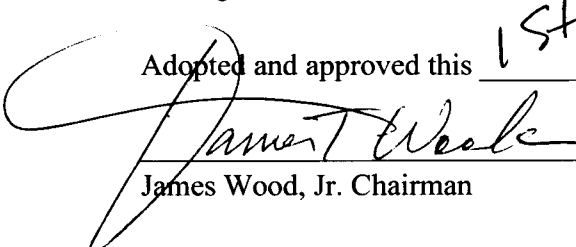
5. **OLD BUSINESS: None**

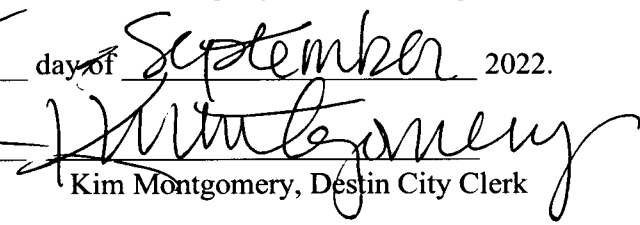
6. **DIRECTOR'S REPORT: None**

ADJOURNMENT:

Having no further discussion at this time, the meeting adjourned at 7:05 p.m.

Adopted and approved this 1st day of September 2022.


James Wood, Jr. Chairman


Kim Montgomery, Destin City Clerk